

1 CAITLIN H. RAILO

2 A. We were at an intersection. He hit
3 my driver's side door and flipped over me.

4 Q. Do you remember, did you have a
5 lawyer for these criminal charges?

6 A. I think I had a Legal Aid.

7 Q. Okay. And I want to --

8 A. I remember when I went to court, I
9 got ROR, and then I think I got county.

10 Q. Do you remember what you were
11 actually sentenced to as a result of leaving the
12 scene of this particular accident?

13 A. No.

14 Q. Do you remember if the reason why
15 you left the scene of the accident was because
16 there was a warrant out for your arrest and
17 that's why you left?

18 A. It could have been, because like I
19 said, we did stay there for the ambulance and
20 the fire department, because I remember, and
21 then the cops didn't show up, took them a while
22 to show up, and I left before the cops got
23 there.

24 Q. I'm going to read from this
25 particular report and ask you a question and see

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2 if it helps jar your memory with respect to
3 that.

4 It says in the second typed
5 paragraph --

6 MR. LaROSE: On which page?

7 MR. CIMINI: On Page 76.

8 Q. -- it says, "Continued to speak
9 with Mr. Bice who states he got out of the 1999
10 Dodge van to check on driver of the 2000 Nissan
11 when driver of the 1999 Dodge later identified
12 as Caitlin Railo stated she has a warrant for
13 her arrest so she is leaving."

14 A. That's what he said.

15 Q. Okay.

16 A. That's what the other person in the
17 car that I was giving a ride home to said.

18 Q. Was he correct and truthful when he
19 said that?

20 A. No.

21 Q. Just give me a minute. I may just
22 move away from this.

23 Page 78, the next page, you have to
24 kind of turn it to its side. At the very top,
25 it says, "Arrested Caitlin H. Railo. Based on

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2 active arrest warrant for violation of probation
3 and unauthorized use of motor vehicle," and the
4 complaint of Officer T. Nietzel, T
5 N-I-E-T-Z-E-L. Do you recall -- underneath
6 that, "The arrest was made outside in the
7 driveway; shortly after I made telephone contact
8 with Railo and persuaded her to surrender."

9 Do you remember that particular
10 arrest?

11 A. Yeah. I was never on probation
12 ever.

13 Q. So, it's not true that at the time
14 of this automobile accident, that you were not
15 in violation of any type of probation?

16 A. I was never on probation.

17 Q. Okay. Continuing on, it says, "As
18 I escorted Railo to my police vehicle, she
19 stated, 't doesn't matter that I'm being
20 arrested, I just took a whole bottle of pills.'"

21 Do you recall ever making that
22 statement when you were arrested?

23 A. No.

24 Q. Is it true that you had just taken
25 a whole bottle of pills on that day?

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A. No, I didn't take a whole bottle.

Q. Did you take any pills?

A. Yes.

Q. What pills did you take?

A. I don't remember. I think Xanax.

I don't remember.

Q. Do you remember being taken to St.

Luke's Emergency Room for evaluation by the police after this arrest?

A. No. I remember that day, because I didn't tell them I took any pills, I guess I took pills, I took Xanax. I ended up passing out in the back of the cop car. They took me to the hospital. I don't remember going to the hospital, I couldn't have, and then I was talking to the cops there for a while.

Q. So, when the cop wrote that you said, "I just took a whole bottle of pills," that's not an accurate statement? You never said that?

A. I don't remember. No, I don't remember ever saying that.

Q. The next paragraph says that, "During the time that Railo was being observed

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by hospital staff, she freely engaged in conversation with Detective Harrington." And do you remember a Detective Harrington?

A. I don't remember his name, but I remember the one that was there, yes.

Q. And it goes on to say, "And I spoke about a variety of topics including her long history of drug abuse and the hit-and-run accident for which she had been arrested."

Do you remember having a discussion with the detective about your long history of drug abuse and the hit-and-run accident for which you had just been arrested?

A. Well, it wasn't a hit-and-run, but, yes.

Q. It goes on and says, "At one point Railo stated in substance that she left the scene because she had a warrant and because she saw the ambulance arrive and knew that the other driver would be cared for." Do you recall saying that to the detective?

A. I told you, I don't remember having a warrant. I don't remember all of it.

Q. Well, my question was, do you

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remember making that statement to the detective?

MR. LaROSE: If she doesn't

remember having a warrant, how can she
remember making the statement?

Q. So, the answer is no?

A. I said no.

Q. Do you currently participate in any
drug or alcohol programs while you're here in
prison?

A. That's why I'm here, to do ASAT.
That's the program I'm in.

Q. How long have you been in that?

A. Almost a month. It's a six-month
program.

Q. Was that started here in this
prison --

A. Yes.

Q. -- or was that in the prison in
Albion?

A. No. Started here.

Q. Here.

MR. LaROSE: Spell the name of the
program for us.

THE WITNESS: A-S-A-T.

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2 Q. Do you know what that stands for?

3 A. No. Sorry.

4 Q. It's a six-month program and you're
5 in your first month?

6 A. Yes.

7 Q. Were you ever sued by a person by
8 the name of Jeffrey Kulisek, K-U-L-I-S-E-K, who
9 was the individual that you were involved in
10 that accident with that we had just discussed?

11 A. That's not who I was -- I don't
12 know the name.

13 Q. Okay. A Jeffrey Kulisek, the
14 question was, were you ever sued by anybody by
15 that name? Yes or no?

16 A. No.

17 Q. Okay. Do you know if that
18 individual ever made a claim against your
19 boyfriend or your ex-boyfriend or his employer
20 as a result of that accident?

21 A. Oh, yes. They did No-Fault.

22 Q. So, there was a lawsuit or a claim
23 made?

24 A. Yes.

25 MR. LaROSE: She said No-Fault. I

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2 don't know if she knows the distinction.

3 A. No, that's what they said. The
4 No-Fault insurance is what paid.

5 Q. Okay. Well, is it your under-
6 standing that there was some type of claim made
7 as a result of this accident?

8 A. Yes, yes.

9 Q. And who is that claim made against
10 as far as you know?

11 A. The owner of the van. I paid him
12 and then his insurance company paid that guy.

13 Q. How much money did you pay him?

14 A. I don't remember. There should be
15 documentation of it. It went through the court.

16 Q. You personally paid funds from your
17 own pocket?

18 A. Yes.

19 Q. Do you know if you had an attorney
20 representing you with respect to that?

21 A. I think I always just have Legal
22 Aid.

23 MR. LaROSE: She may be confusing
24 restitution for this criminal charges and
25 not about a lawsuit.

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MR. CATALINOTTO: It's probably
restitution.

MR. LaROSE: It's probably
restitution on the criminal charges,
nothing to do with the lawsuit.

Q. Do you remember as part of the
leaving the scene of the accident charge that
you were charged with that you were required to
pay restitution to anyone?

A. The only thing I paid was to the
owner of the van. I don't remember his name.

Q. Okay. You don't remember how much
that was?

A. A thousand, I think. I told you I
really -- I can't remember stuff. It's
horrible. It's just I can't remember.

Q. All right. If you can turn to Page
32, do you recall there being some type of
traffic stop in the City of Middletown on
November 26th, 2006?

A. No.

MR. LaROSE: This document doesn't
say any details.

MR. CIMINI: No, it doesn't, and

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that's why I'm asking if she has any
recollection of anything related to a
traffic stop at that time, in that place,
and her answer was no.

Q. Page 23, do you recall being
charged with petit larceny and endangering the
welfare of a child in February of 2007?

A. Yes.

Q. And can you tell me in your own
words what happened, what you believe happened
with respect to that?

A. In my own?

Q. What you recall.

MR. LaROSE: First of all, take a
second to read this and just see if it
refreshes your recollection, but in your
own words, what you remember.

MR. CIMINI: Well, she said -- I
asked the question, she said she
remembered it, so then I asked her, well,
what do you remember --

MR. LaROSE: Okay.

MR. CIMINI: -- without looking at
that, your independent recollection and

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then we can go to that later on.

MR. LaROSE: But the point is, you told her to look at it already, so since that's already on the record, I'm going to have her read it and then you can ask her what he recalls independently.

MR. CIMINI: I asked her -- I referenced the date of the incident. I mean, she remembered it, and so I just want to know what she remembers.

MR. LaROSE: Okay.

Q. What do you remember about that independent of looking at anything?

A. The incident, I mean, basically, I mean, all this stuff is stemming from a past of drugs and that's what --

MR. LaROSE: He wants to know what you remember.

A. That's what this is. That's why it's DVDs that were stolen and my nephew was with me.

Q. Were you involved in stealing DVDs with your nephew at that time; is that what you're saying?

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2 MR. LaROSE: No, no, no, no. You
3 say stealing with her nephew implies the
4 nephew is involved in the theft. I don't
5 think that's what you meant to say.

6 MR. CIMINI: No.

7 A. He was three. That's why I looked
8 at you like that. I was like, wait, I don't
9 want to corrupt a kid like that.

10 Q. You were with your boyfriend, your
11 nephew, and he was three years old?

12 A. Yes.

13 Q. And did you steal anything at that
14 time?

15 A. Yes.

16 Q. What did you steal?

17 A. DVDs.

18 Q. Were you under the influence of
19 narcotics when you stole those DVDs?

20 A. I don't think so, no.

21 Q. Do you know how this charge was
22 disposed of?

23 A. Actually, no, I don't remember.

24 Q. Do you remember if you served any
25 jail time as a result of a petit larceny charge

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and endangering the welfare of a child charge
stemming from this particular event?

A. No. I think I might have done a
night in jail.

Q. Do you remember on July 14th, 2007
ever making a report of a child abduction?

A. Walmart.

Q. Okay.

A. No, I never reported it. I didn't.
I don't remember what happened.

Q. Do you remember anything at all
about being involved in an incident where you
made a claim of an abduction on July 14th, 2007?
Do you remember that, before I show you any
documents?

A. I remember Kevin leaving with my
daughter when I went into the bathroom.

Q. Where?

A. Walmart. I don't -- no, I don't
really remember what happened.

Q. Let's then turn to Page --

A. But, yeah, that whole --

MR. LaROSE: What page?

Q. Let's go to Page 36. Do you know a

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Frank Mulhair, M-U-L-H-A-I-R?

A. No.

Q. Are you reading the typed narrative now that's on Page 36?

A. Oh, yeah. He did, actually.

Q. I'm not sure what you're referring to.

A. I remember this now, yes.

Q. Okay. Tell me what you remember.

Let me ask you this. Do you remember making a call to the police reporting a possible abduction?

MR. LaROSE: Well, she may not have used those words, abductions.

THE WITNESS: I didn't.

Q. Well, tell me what words you may have used or what you remember.

MR. LaROSE: It says here, counselor, "RO states that the boyfriend Frank left with her four-month-old child." Doesn't say the word abduction.

MR. CIMINI: It does. It says just prior to that, it says "reported possible abduction."

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MR. LaROSE: That may be -- that's police jargon. That's not necessarily what she reported. I mean, come on!

Q. Well, I'm asking you the questions.

MR. LaROSE: Well --

Q. Tell me. I asked you --

A. Yes.

Q. -- repeatedly to tell me what happened.

A. He drove off with my daughter. I said that.

Q. Frank Mulhair?

A. Yes.

Q. Drove off with your daughter?

A. Yes.

Q. Okay. Was that after he got angry with you for some reason?

A. No. We didn't even have a conversation. When I came out, they were gone.

Q. When you came out of where?

A. The bathroom at McDonald's.

Q. So, you came out of a bathroom from McDonald's and your boyfriend and your daughter were gone?

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A. Yeah.

Q. And so you called the police?

A. Wouldn't you?

Q. I'm asking you a question.

A. Yes.

Q. And what did you say? Do you
remember?

MR. LaROSE: Do you remember
specifically what you said is what he's
asking. If you don't remember
specifically what you said, tell him.

A. I know all I said was that my
daughter was in the car with my boyfriend and he
is gone, they're gone.

Q. Do you remember the police coming
to where you were then?

A. Vaguely, yes.

Q. I'm going to read to you what is
typed here in the report and then we'll ask you
some questions about it. It says, "RP was
obviously under the influence of a narcotic
since her pupils her dilated" -- I think that's
supposed to be were dilated -- "and her speech
was slurred." And my question to you is, at

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this time were you under the influence of a
narcotic as indicated by the police officer; yes
or no?

A. I don't remember.

Q. All right. The officer goes on,
"It became extremely difficult to communicate
with RP. RP refused to come to headquarters to
report incident." Do you remember anything
about that?

A. Yes, because he took my daughter.
I don't want to hear anything. I don't want to
hear anything else but this is where your
daughter is, so, yeah, I became irrational and
became mad.

Q. Do you remember the police asking
you to come to the police station?

A. No, but I probably said no.

Q. Do you remember being in the
bathroom of a McDonald's doing some type of
narcotics?

MR. LaROSE: Asked and answered,
counselor. Come on!

MR. CIMINI: I'm referencing what's
in the report.

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2 MR. LaROSE: I don't care what's in
3 the report. You already asked her a
4 direct question.

5 Q. Do you recall doing narcotics that
6 day, and you have an answer?

7 MR. CIMINI: No.

8 A. Yeah, you did. I said no.

9 Q. You said you didn't?

10 MR. LaROSE: Don't recall.

11 Q. You don't recall or you didn't use
12 narcotics?

13 A. Not with my daughter I wasn't doing
14 it. I relapsed a few times, but not that day.
15 I remember that day.

16 Q. Do you know a Francine Jeschke,
17 J-E-S-C-H-K-E?

18 A. No.

19 Q. Do you remember your mother being
20 interviewed at all about this incident?

21 A. No. They interviewed my mother
22 later that night. I wasn't there, so I couldn't
23 remember.

24 Q. And I'll read what it says. "RP
25 mother Sheila Metcalf. Metcalf stated that her

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daughter's full name is Caitlin Metcalf Railo.
Sheila stated the baby is fine and that Caitlin
has a bad drug habit and should be arrested."

Do you remember your mother saying
anything like that to the police?

MR. LaROSE: She already told
you --

MR. CIMINI: No, she didn't.

MR. LaROSE: -- before you read
that that she wasn't present when her
mother was interviewed.

MR. CIMINI: That wasn't the
question.

MR. LaROSE: How could she remember
that if she wasn't present when the
statement was made?

MR. CIMINI: She could have had a
conversation with her mother where her
mother told her.

MR. LaROSE: You didn't ask her
that.

MR. CIMINI: Yes, I did.

MR. LaROSE: That was not your
question.

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2 Q. Do you remember your mother ever
3 telling you she made such a statement to the
4 police?

5 A. No.

6 Q. Let me ask you this, Caitlin. Was
7 your mother being truthful when she reported to
8 the police that you had a bad drug habit at that
9 time?

10 A. At that time, no, but I told you I
11 have had a drug habit.

12 Q. But at the time of this particular
13 incident you did not, July 14th, 2007, your drug
14 habit was over?

15 MR. LaROSE: Well, you can't mix
16 metaphors and stuff like that and say
17 over.

18 A. I answered that before. I said I
19 relapsed a few times, but I was not an addict at
20 that time.

21 Q. So, at that time, to the best of
22 your recollection, you were not under the
23 influence of any narcotics?

24 MR. LaROSE: On that day?

25 MR. CIMINI: On that day.

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MR. LaROSE: In that McDonald's?

THE WITNESS: No.

A. That's why I was so mad.

Q. Page 39. Caitlin, do you recall
being involved in a motor vehicle accident at
156 Monhagen, M-O-N-H-A-G-E-N, Avenue in
Middletown, New York on August 24th, 2007?

A. No. What is this? Neither one of
those cars I never had.

Q. You've never driven a 2005
Hyundai --

A. No.

Q. -- or a 1995 Nissan Maxima?

A. No.

Q. Do you know a Nancy Parmelee?

A. No.

Q. A Kerry Andersen?

MR. LaROSE: Where are you even
looking?

Q. Let me just ask the question first.
A Nancy Hoover?

A. No. I was looking at that name.
No, I have no idea.

Q. You don't know a Joseph Gallo?

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A. No.

Q. Page 52. Do you recall being involved in an arrest of an unwanted person on March 20, 2008 in the City of Middletown?

A. An unwanted?

MR. LaROSE: What the hell does that mean?

THE WITNESS: What is an unwanted person?

MR. CIMINI: It's right there on the very top.

MR. LaROSE: That's just it says, "Call type unwanted person." I mean, how can you ask her to interpret this or answer anything when you don't even know what that means?

THE WITNESS: I don't know what any of this is.

MR. CIMINI: I'm not asking her to interpret. I'm asking her if he just remembers any incident on that day that involves an arrest.

A. No.

Q. Okay.

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A. I never had that car either.

Q. On Page 53, the persons involved, you would agree that you've identified there Metcalf, Caitlin with your date of birth. Do you see that?

A. Yeah. Yes.

Q. And then under the "property involved," there is some items that are described, the glass pipe, a pill bottle.

A. That has nothing to do with me.

Q. Okay. Tell me, who do you think --

A. I have no idea.

Q. Okay.

A. But I have never been caught with any of those things. I don't have -- I never drove a Buick. Glass pipe is for crack. I don't smoke crack, and it's a pill bottle with white chunky substances. I don't know, 133 Wickham was a building. I might have been involved in their questioning, but I was not involved in -- I don't know what that is. Who's this sealed record?

Q. Do you know an individual by the

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name of Christina Bohm, B-O-H-M? Does that name
sound familiar to you?

A. No.

Q. On October 11th, 2008, do you
remember being with an individual who was
arrested for criminal possession of a controlled
substance and criminal possession of a
hypodermic needle?

A. No.

Q. I'm not saying with you, but do you
remember being with someone that was arrested
for that?

A. No.

Q. And you don't know a Christina
Bohm, B-O-H-M, Christina L. Bohm?

A. No.

Q. Why don't you turn to Page 59?
Maybe that will help refresh your recollection.
Take a minute to just read that.

A. What?

MR. LaROSE: Let me know when
you're done with this page.

A. Okay. Well, that's not -- that's
not me.

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MR. LaROSE: Have a question?

Q. Did you have an opportunity to review -- to read the typed narrative on Page 59 and 60?

A. Yes.

Q. Okay. And would you agree that the typed narrative, that this typed narrative references an individual by the name of Christina Bohm and yourself being stopped and questioned and interviewed by the police?

A. No.

Q. You don't agree that that's what it says?

A. Yeah, but I don't ever remember this.

Q. Okay. You don't remember anything related to this?

A. No. They're saying that I helped them took it out of -- I don't remember any of that.

Q. All right. You don't remember anything that's referenced in there?

A. No. And then they just sent me on my way. I don't understand any of that. I

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2 don't remember that.

3 Q. Page 63, do you remember being
4 charged with possession of a controlled
5 substance in Middletown, New York on October
6 29th, 2008?

7 A. No.

8 Q. Now, if you take a minute to read
9 the next -- the two pages 63 and 64.

10 A. I do remember this.

11 Q. Just take a minute and read it.

12 MR. LaROSE: Read the whole thing.

13 A. Okay. Honestly, I don't want to
14 talk about this one because he was a CI for the
15 police and there is truth to that story, and
16 none of that was mine, and I don't even want to
17 talk about that one because that's going to
18 upset me, because the door was open, I tried to
19 jump out of that car and get to the police.
20 This whole story is screwy, that's a CI for the
21 police, and that's not the right name.

22 Q. I understand what it says in here.
23 Why don't you tell me in your own words what you
24 believe happened as a result of this incident?
25 Tell me in your own words why what's in here is

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2 maybe not accurate. Go ahead, I'm giving you an
3 opportunity to explain this.

4 A. I know, but I really don't want to
5 go into detail about this. I told you what I
6 want to say. The guy that was driving the car
7 knew my daughter's father and was giving me a
8 ride, but went and he turned the corner. I saw
9 the police lights come on behind him and he
10 wouldn't pull over. He sped up and told me I
11 couldn't get out of the car. I was opening the
12 door while he was driving to jump out of the
13 car.

14 Q. Did you ever throw any drugs out of
15 the car?

16 A. No. They were in his lap.

17 Q. Were you charged with criminal
18 possession of a controlled substance as a result
19 of this incident?

20 A. Yes, I was, and I got taken to
21 county jail because of it.

22 Q. And do you remember, did you plead
23 guilty to any particular charges?

24 A. No, I pled not guilty.

25 Q. And --

1 CAITLIN H. RAILO

2 A. Because I don't have -- they
3 charged me with crack cocaine. I don't do
4 crack. I told they could even drug test me. It
5 would never be in my system, and if it was mine,
6 I'm a female, I would have stuck it in my bra
7 and not throw it out the door with a cop behind
8 me. I just -- I don't want to. They didn't put
9 his real name in there.

10 Q. Did you read where it said at the
11 very bottom, "That the Defendant further stated
12 that she wouldn't throw drugs to the ground if
13 she saw a cop, she would swallow the drugs
14 instead"?

15 A. Yeah, I would. I'm not going to
16 lie.

17 Q. Did you remember making that
18 statement?

19 A. Yeah, because they said I threw it
20 out the door while they were behind us.

21 Q. And just above that, it says, "The
22 Defendant stated that she used heroin and not
23 crack."

24 MR. LaROSE: Isn't that what she
25 just told you, counselor?

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CAITLIN H. RAILO

A. I don't lie. I would tell a cop --

Q. I want to know if that's an accurate statement.

A. I would tell a cop, I would tell anything, you know. I have a drug history, yeah. I was using drugs. I don't lie about it, though.

Q. The question was not were you using drugs, the question was did you use heroin?

A. Yes.

MR. LaROSE: She's already told you in earlier questioning that she's used heroin in the past. What is your specific question here? You know, you're taking things out of context. You're misinterpreting things.

MR. CIMINI: That's so not true. I specifically read what was in the police report, that the Defendant stated that she used heroin and not crack, and my question was did you tell the officer that you used heroin and not crack.

MR. LaROSE: Now you're changing tense. "Used" means like that day, that

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CAITLIN H. RAILO

time. She has told you she has had --
you know what I'm getting at here. Don't
misinterpret and don't change the things.

MR. CIMINI: I'm not mis-
interpreting anything.

MR. LaROSE: Yeah, you are.

MR. CIMINI: It's a typed report
where she told the police officer
allegedly that she used heroin and not
crack. I don't know when she may have
used it or may not have used it.

Q. My question was, did you tell the
officer that you used heroin and not crack?

A. Yes.

Q. Okay.

A. I mean...

Q. Do you remember being involved in a
rear-end accident on March 17th, 2011 in which
you were the person that struck a vehicle in
front of you?

A. No. Port Jervis?

MR. LaROSE: He hasn't showed you a
report. I think that's the one in front
of the car dealership.

1 CAITLIN H. RAILO

2 MR. CIMINI: Yeah.

3 Q. Do you remember that?

4 A. Yeah. She had no steering wheel on
5 her car.

6 Q. Let me ask a question. Do you
7 remember the accident?

8 A. Yes.

9 Q. Where did the accident happen?

10 A. Right in front of Clarke Motors in
11 Port Jervis.

12 Q. Tell me, were you driving a
13 vehicle?

14 A. Yes.

15 Q. Was anybody with you?

16 A. No.

17 Q. Tell me what you recall happening.

18 A. We were just going -- we got
19 through the light and at Clarke Motors kind of
20 veers to the left right in the town, right after
21 that, you know, little left turn that they have,
22 and I was going straight and she was trying to
23 make a left into Clarke Motors but had to slam
24 on the brake, because the car wouldn't turn
25 because there was no steering wheel in the car.

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CAITLIN H. RAILO

Q. So, the car in front of you had no steering wheel?

A. No. The boyfriend busted up her car or something and she put a rod in the steering wheel column. Yeah, the cops came and couldn't believe it, so there was no charges or anything for that.

Q. You weren't cited for that accident?

A. No.

Q. Were you ever involved in any other rear-end accident other than that one?

A. No.

Q. Was anybody injured as a result of that rear-end accident in front of Clarke Motors?

A. No.

Q. Were you ever sued civilly by anyone as a result of that accident?

A. No.

MR. LaROSE: What page is the police report for that? Do you have that?

MR. CIMINI: Page 14.

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CAITLIN H. RAILO

MR. LaROSE: I thought I had seen
it somewhere.

MR. CIMINI: Do you have Page 14?

MR. LaROSE: But that's not the
real police report.

MR. CIMINI: It's a narrative from
the call that came in apparently, but
it's not the official report.

Q. I think I asked you earlier, were
you ever charged for speeding with respect to a
motor vehicle?

A. I don't remember. I said I don't
remember ever getting a speeding ticket. I
think I got -- once I got pulled over for
speeding, but I think it got lowered.

Q. Do you remember when that was?

A. No. That was a while ago, years
ago.

Q. All right. Do you remember being
pulled over in Dingman's Township on February
22nd, 2012 --

A. No.

Q. -- and being cited for speeding?

A. I don't even know where that is,

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CAITLIN H. RAILO

actually.

Q. Dingman's Township in Pennsylvania,
Pike County, Pennsylvania.

A. I don't know where Dingsman's
Township is, but...

Q. Okay. It's a docket from a
Magistrate, Magistrate Judge Alan B. Cooper. Do
you see that?

A. Yes.

Q. And it's Commonwealth of
Pennsylvania versus Caitlin H. Railo; right? Is
that you?

A. Yes, yes.

Q. And the very bottom, there is
charges listed there, two charges; exceeding 65
miles per hour for all vehicles by 23 miles per
hour?

A. Oh, that was on the highway. Okay,
yes, I remember.

Q. Now you remember this?

A. Yes.

Q. Okay. Do you remember, did you
plead guilty to?

A. Not guilty.

1 CAITLIN H. RAILO

2 Q. You pled not guilty?

3 A. Yes.

4 Q. Do you remember if it was a hearing
5 regarding your plea of not guilty?

6 A. No.

7 Q. Do you remember how the charges
8 were resolved at all?

9 MR. LaROSE: It looks like --

10 MR. CIMINI: Let's go to Page 149.

11 MR. LaROSE: -- lesser charge.

12 Does that refresh your
13 recollection?

14 THE WITNESS: Yes.

15 MR. LaROSE: All right. So, tell
16 him what you recall.

17 Q. What do you remember?

18 A. I really don't remember. I think I
19 did, and then I just mailed in the fine.

20 MR. LaROSE: Yeah, okay. That's
21 what he wants to know.

22 THE WITNESS: You can do that with
23 the tickets, just mail them in.

24 MR. LaROSE: You pled to?

25 THE WITNESS: Yeah.

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CAITLIN H. RAILO

Q. Because you told me just two minutes ago that you pled not guilty, so I'm just trying to follow-up to see what happens, so if you recall pleading guilty, I'd like to know that.

A. I don't recall, but I would assume that it was settled from a fine. You always plead to a lesser charge. I don't remember.

Q. Do you remember how fast you were clocked at by the police officer when he pulled you over?

A. No.

Q. Do you remember, were you stopped for any reason other than speeding?

A. No.

Q. Do you know if your driver's license was suspended as a result of this particular speeding charge?

A. No, it wasn't.

Q. Pardon?

A. No, it wasn't.

Q. Had you ever been convicted of disobeying a traffic device?

A. Yes.

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CAITLIN H. RAILO

Q. And do you remember the circumstances surrounding that?

A. No.

Q. Do you remember if that occurred in the Town of Deer Park on July 10th, 2012?

A. No.

Q. If we can go back to Exhibit D, that's the record expansion for your New York driver's license that we received, and on the first page of Exhibit D, the very bottom under "Convictions," do you see there is a conviction for disobeying a traffic device?

A. Yes.

Q. And the violation is July 10th, 2012. Do you see that?

A. Um-hum.

Q. Yes?

A. Yes.

Q. And the conviction was on August 8th, 2012?

A. Yes.

Q. Orange County, Town of Deer Park?

A. Yes.

Q. Do you remember now, reading that,

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CAITLIN H. RAILO

does that at all refresh your recollection as to the circumstances surrounding that particular violation and ultimate conviction?

A. No.

Q. You don't remember anything about that?

A. No.

Q. Did you pay a fine as a result of that, if you recall?

A. Yes.

Q. Do you recall that or is that just because you're looking?

A. No. I paid a fine in Town of Deer Park, but I don't remember exactly what it was from. Disobeying a traffic device is something else. I don't know.

Q. Do you remember if you went through a stop sign, if you went through a red light?

A. No.

Q. If you failed to yield? Do you remember anything at all?

A. No, it was none of them. I don't remember.

Q. As a result of the accident that

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CAITLIN H. RAILO

involved Justin Maher, you were charged with a number of criminal charges; correct?

A. I don't remember what they were.

Q. Do you remember what you pled guilty to?

A. No.

Q. If I told you that you pled guilty to assault in the second degree and aggravated DWI involving a child, does that sound accurate?

A. Yeah, for being here. Wait, DWI or DWAI?

Q. DWAI.

A. Okay. That's a big difference. Okay.

Q. Well, what's your understanding as to what you pled guilty to?

A. I know the assault and endangering the welfare of a child.

Q. And anything involving a DWI or a DWAI?

A. Well, I'm assuming it was going to be a DWAI because those are the two main ones that they put on everything. They don't really write that one.

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CAITLIN H. RAILO

Q. And what was your sentence?

A. I got two years.

Q. We already talked about your license being suspended for a year.

A. Yes.

Q. And according to some of the records that we have obtained from your criminal file, you had an attorney by the name of Jean M. Hernon, H-E-R-N-O-N.

A. Yes.

Q. Was Attorney Hernon a Public Defender?

A. Yes.

Q. Did you ever retain or attempt to retain any attorney from the Greenwald Law Offices as a result of the criminal charges stemming from this automobile accident?

A. No.

Q. If you can refer to Page 110 of Exhibit C, this is a document that was part of the criminal file that we were able to obtain relating to the charges stemming from the bus accident, and you can see that it's the People of the State of New York versus Caitlin H.

1 CAITLIN H. RAILO

2 Railo. Do you see that?

3 A. Um-hum, yes.

4 Q. And then it has your arrest date of
5 April 12, 2013. Do you see that?

6 A. Yes.

7 Q. And then the agency is the State
8 Police, and then it says next to that, "Defense
9 counsel if known," and it says "Greenwald Law"
10 along with a telephone number that I will
11 represent to you belongs to the Greenwald Law
12 Offices.

13 A. I don't know who wrote that. It
14 wasn't me that wrote it.

15 Q. Okay. Do you have any idea why
16 that information would have been placed there as
17 your defense counsel?

18 A. No, I don't really know who that
19 is.

20 Q. Okay. You don't ever remember
21 meeting anybody from the Greenwald Law Office to
22 represent you for these charges?

23 A. No.

24 Q. Did you ever attempt to hire a
25 private attorney?

1 CAITLIN H. RAILO

2 A. Yes. Wolfe.

3 Q. Who was that?

4 A. Wolfe.

5 Q. Attorney Wolfe?

6 A. Yes. I don't remember his first
7 name.

8 Q. Do you know what firm he belongs
9 with?

10 A. He is by himself.

11 Q. Okay. Do you know where he is
12 located?

13 A. Orange County.

14 Q. Is his first name John?

15 A. I'm not sure. I actually think he
16 is out of Walden. I think he is out of Walden.

17 Q. But ultimately you never retained
18 the services of a private attorney?

19 A. I don't know who wrote that. Yes,
20 Wolfe.

21 Q. But you did retain Wolfe?

22 A. Yes.

23 Q. How did you go from Wolfe to
24 Hernon?

25 A. He thought I was going to trial for

1 CAITLIN H. RAILO

2 some reason.

3 Q. Who did?

4 A. Wolfe did. I think my stepfather
5 told him yes, so he said he doesn't do cases
6 when they go to trial, so then I just went with
7 Legal Aid because he was meeting me at court in
8 Deer Park.

9 Q. Do you know if the court assigned
10 an attorney to represent you from Greenwald Law
11 Office?

12 A. I don't know. I really don't.

13 Q. I want to just ask you some
14 questions about your past medical history.

15 Have you ever been diagnosed with
16 any medical conditions that required hospital-
17 ization or surgery?

18 A. Yes.

19 Q. Can you tell me about that just
20 briefly? Just give me a listing, if you can.

21 A. I had to have surgery on my breast.
22 I had to have a lumpectomy and then six lymph
23 nodes removed. I had a full hysterectomy. I
24 have had other cysts and tumors removed
25 throughout. In between those two, I had a

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CAITLIN H. RAILO

tubular pregnancy and then he did the operation wrong. He punctured my cervix with the vice grips, whatever he used, and then he had to go back in and re-do another surgery. There is just --

Q. Over what time period did these various surgical procedures occur?

A. From 2000. That was when I was with Sava (phonetic). What was that? 2008. This is going to be the hardest part for me. I don't remember years. 2004, I believe.

Q. Well, it didn't all occur in 2004?

A. No. That's when the first major one was and then up to before I came in here.

Q. And that would have been in 2014?

A. March 17th of last year.

Q. What was the last procedure that you had done?

A. Late February of last year.

Q. What was it, though?

A. I had a lump removed.

Q. You were diagnosed with -- was it breast cancer?

A. Yes.

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CAITLIN H. RAILO

Q. And would it be accurate to say that it was Dr. Koehler that treated you for that breast cancer?

A. He was the one that treated me for the hysterectomy too.

Q. And he is out of Crystal Run?

A. Yes.

Q. Did you treat with any other physicians or doctors other than Dr. Koehler since 2004?

MR. LaROSE: In relation to these items?

MR. CIMINI: In relation to these items.

A. Yes, just by -- I don't remember who did the surgery in Orange Regional, but just him and Orange Regional Medical Center.

Q. Did you treat with any doctors for any other reasons other than what you described during that same time period?

A. See, it's kind of hard to say, because I would go to -- I've been to some doctors for my migraines that don't go away. They've done CAT scans, and then I've only see

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CAITLIN H. RAILO

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them twice and then I've never seen them again,

3

and there is some -- or doctors, I seen them a

4

couple of times and never saw them again.

5

Q. Can you give me the names of any

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doctors that you would have seen for any of

7

those problems?

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A. I can't remember the names. I

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really can't. I mean, I can try to find out,

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but...

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Q. I'm asking you here now if you

12

don't know.

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A. No, I don't.

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Q. Let's talk a little bit about your

15

employment history leading up to Quality Bus.

16

Okay? Tell me about the different employers

17

that you had prior to working for Quality Bus.

18

A. It was just Kaltec, Riverside

19

Support Center, because before that I didn't

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work when I was pregnant, and then it was just

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manager of a restaurant, waitressing, and I was

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going to school and I was having my daughter, so

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I didn't work during then.

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Q. One of the employers was you said

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CAITLIN H. RAILO

A. Yeah. Yes.

Q. And what was your position there?

A. That was just a warehouse. I
didn't work there very long.

Q. What were your duties and
responsibilities?

A. I started as a secretary until the
office, something happened to the ceiling, so
they just after a while it was just normal
duties of a warehouse.

Q. How long did you work for Kaltec?

A. Only a couple months through the
Christmas holiday, just through the holidays for
extra money.

Q. Why did you leave?

A. It was a horrible job.

Q. Did you quit or were you fired?

A. I quit.

Q. And then we talked about Riverside.
You were there for two years?

A. Yes.

Q. And you left because they closed?

A. They got closed down by Oasis when
they came in.

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CAITLIN H. RAILO

Q. For violations of certain things?

A. Yes.

Q. What kinds of violations?

A. I don't know. That was between them and the manager.

Q. What job did you have right before Quality Bus? Was it Kaltec or the Riverside rehab?

A. It was Riverside.

Q. What made you decide to become a bus driver with Quality Bus?

A. My mom was actually a bus driver when I was young. She used to drive me on the school bus just like I was doing with Lexi, and it was good hours and it was flexible with her school.

Q. Did you learn that there was an opening for a bus driver at Quality Bus or did you just grab an application somewhere?

A. Sorry. They had it in the newspaper.

Q. And you decided to go to Quality Bus to get an application, or how did that process occur?

1 CAITLIN H. RAILO

2 A. Yes. I just walked in and spoke to
3 them.

4 Q. Was there anything about your
5 driving history or criminal history that caused
6 you any kind of concern before you applied for a
7 job as a bus driver for Quality Bus?

8 A. Pose a concern with me?

9 Q. Yeah.

10 A. It always does. It does anywhere.

11 Q. When you went to Quality Bus to
12 obtain an application, do you remember speaking
13 to anyone?

14 A. Yes. I spoke to the owner and the
15 secretary that was in there.

16 Q. Do you remember the names of the
17 owner and the secretary?

18 A. See, I can't remember that. No, I
19 don't.

20 Q. Prior to your employment with
21 Quality Bus, had you ever driven a school bus
22 for any other company at any time?

23 A. No.

24 Q. Did you ever drive a tractor-
25 trailer at any time prior to Quality Bus?

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CAITLIN H. RAILO

A. No.

Q. So, it would be fair to say that you had zero experience driving a large vehicle such as a bus prior to your employment with Quality Bus?

MR. LaROSE: Off the record.

(Discussion off the record.)

Q. But in your work experience and in your private life, did you ever have any experience driving a tractor-trailer or a bus leading up to your employment with Quality Bus?

A. Not that kind of bus, but motor home and large vans and vehicles, yes.

Q. Did you need a special license to drive those particular vehicles?

A. No. You know what, they should, but no.

Q. The answer is no?

A. No.

Q. At some point you obtained your CDL license; correct?

A. Yes.

Q. And did you pass it when you took it the first time?

1 CAITLIN H. RAILO

2 A. First time, no.

3 Q. How many times did it take you to
4 pass, do you recall?

5 A. Two or three.

6 Q. Do you remember when you first
7 attempted to obtain your CDL license?

8 A. No.

9 Q. Can you tell me what type of
10 classes that you had to take in order to obtain
11 your CDL license?

12 A. You don't. You just go to DMV and
13 tell them that you would like to go for your CDL
14 and then give you the booklet and you have to
15 study and pass the test. It's in five different
16 sections.

17 Q. And you said that it took you at
18 least two or three times to pass?

19 A. Yes.

20 Q. Do you remember what the reasons
21 were for why you didn't pass the first one or
22 two times?

23 A. I couldn't remember the stuff about
24 the air brakes.

25 Q. Was that the only reason you didn't

CAITLIN H. RAILO

pass?

A. Yes. You fail one section, you fail the whole thing.

Q. Do you know what year you passed to obtain your CDL?

A. Four years ago.

Q. Would it have been the same year that you started your employment with Quality Bus?

A. Yes.

Q. That would have been 2012?

A. Yes.

Q. When you --

A. Well, sorry. The accident was in 2012; right?

Q. The accident was February of 2013.

A. Okay. Then, yes, 2012. Sorry.

Q. Before you obtained your CDL license, did you have to practice driving a large vehicle such as a bus or a tractor-trailer or something like that?

A. Yes. Well, we had -- we practiced with their buses.

Q. With Quality Bus?

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CAITLIN H. RAILO

A. Yes, yes. Sorry. You had to pass a road test.

Q. Was that the first time that you had ever driven a bus like that?

A. Like their buses, yes.

Q. Prior to that time, had you ever operated a bus similar to that for any reason?

A. Well, like I said, I've driven a smaller one and I've driven motor homes and things that are the same size, so it's basically the same, but not their buses, no.

Q. How long did you drive a motor home or smaller buses?

A. Not very often, but I don't remember when.

Q. Was it for employment --

A. No.

Q. -- or was it for personal use?

A. It was for personal use.

Q. Did you own a motor home?

A. No.

Q. Who owned the motor home that you drove?

A. One of my exes.

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CAITLIN H. RAILO

Q. And did you drive -- I forgot if I asked you that, but did you drive that on a regular basis or did you drive that often?

A. When we went away, yes.

Q. And how many times would you say that you drove the motor home?

A. I don't remember. I don't know how many times.

Q. You said something about a smaller type bus.

A. Um-hum.

Q. Yes?

A. Yes. That was only two or three times.

Q. Who did you drive that smaller bus for?

A. I don't remember. That was years ago. It was a long time ago. I don't remember that.

Q. The training that you undertook with Quality Bus in order to learn how to drive a bus, how long did that course take? Do you recall?

A. About a month going in every day.

1 CAITLIN H. RAILO

2 Q. Did you go right to their facility?

3 A. Yes.

4 Q. Where was that?

5 A. Right in Port Jervis -- well,
6 Sparrow Bush.

7 Q. And what did you do for that month
8 period of time? Was it in-class training? Was
9 it on-the-road training? Was it a combination?

10 A. It was a combination. You drove
11 with them and then you drove on back roads and
12 practiced driving and the turns and how to use
13 the mirrors, and you did that for a while until
14 you were able to pass the road test.

15 Q. Were you ever instructed by anyone
16 from Quality Bus about a rule as how far you are
17 to look ahead when you're driving a bus?

18 A. Yes.

19 Q. What can you tell me about that
20 particular rule?

21 A. I tell you the truth, I don't know.
22 I don't remember.

23 Q. Do you know if Quality Bus
24 discussed any particular rule for scanning
25 traffic?

1 CAITLIN H. RAILO

2 A. Always. That's not just with the
3 bus company, that's with everybody and every
4 time you're driving, absolutely.

5 Q. But I'm just trying to be specific
6 to Quality Bus, and if you can recall anything
7 specific that they instructed you on with
8 respect to scanning traffic, that's what I'd
9 like to know.

10 A. Well, yes.

11 Q. I don't want you to --

12 A. With them.

13 Q. -- to guess. I want you, if you
14 have a specific recollection of what you were
15 taught by Quality Bus regarding the scanning of
16 traffic, I'd like to know that.

17 A. Well, I don't. That's kind of a
18 broad question because it's oncoming traffic or
19 around you, because, I mean, honestly, I'm not
20 trying to be funny, but there is many different
21 things because it was a bus. There is a lot of
22 blind spots.

23 Q. Well, tell me what Quality Bus
24 instructed you on with respect to those
25 different areas that you talked about.

1 CAITLIN H. RAILO

2 A. Well, that's why there is the
3 mirrors that -- there are the mirrors cover a
4 certain feet around the bus.

5 Q. And you were taught to look in the
6 mirrors?

7 A. Well, yes.

8 Q. Well, I'm trying to get at what
9 they actually told you. I'm not trying to be
10 difficult. If you can recall something specific
11 that they taught you with respect on how to use
12 the mirrors or how to look at traffic ahead of
13 you or alongside of you, that's what I'm trying
14 to get at.

15 A. Yes. I mean, you don't ever -- I
16 don't know what you want to hear specifically,
17 though, because I can't remember the exact feet
18 now. I don't really know what you want to hear
19 specifically.

20 Q. I'm interested in knowing if you
21 can recall anything specific that Quality Bus
22 taught you about any of these things that we're
23 just talking about.

24 A. Well, I mean, there is always,
25 while you're driving, you shouldn't -- you

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should always while you're looking ahead of you, twenty feet in front of you, then you always have to be looking in your mirrors because you always have blind spots and you can't see when there is cars passing you, when they're coming up from behind you, because you can't see in that one spot, so, I mean, there is a bunch of safety precautions with the bus.

Q. Did they ever instruct you on how long it should take for you to clear the lane, to clear a lane of travel when making a turn?

A. Three to five seconds.

Q. Thirty-five or three to five?

A. Three to five.

MR. LaROSE: Three to five. She said three to five.

A. I'm not sure the exact number.

Q. That's a big difference.

MR. LaROSE: Yeah.

A. Yeah.

Q. Three to five seconds?

A. I don't remember. I don't know why, but I can't remember anything while I'm in here.

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Q. When I ask you the question --

A. So, I'm going to say I don't remember.

Q. All right. Your immediate response was three to five seconds, and now you're saying that might not be it and you don't remember?

MR. CATALINOTTO: Objection to the form. You can answer.

THE WITNESS: I'm sorry.

MR. CATALINOTTO: You can answer. I just objected to the form of the question. You can answer.

A. I don't remember.

Q. Do you remember being interviewed by anyone from Quality Bus before you were hired?

A. The boss, I don't remember his name, but I just went in and spoke to him.

Q. If I said the name Michael Martucci, does that sound familiar to you?

A. Yes, it sounds familiar.

Q. Is that your understanding as to who the boss of Quality Bus was that you interviewed with?

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MR. LaROSE: That's two different things. There may be more than one boss. I mean, there may be a boss, but it may not be the one she interviewed with.

Q. Do you recall interviewing with a man by the name of Michael Martucci?

A. I can't be sure that was him. There was two men, two men and one female that run the place -- well, actually two females.

Q. Do you remember them asking you any types of questions about who you were and your background and things of that nature?

A. (Indicating negative response.)

Q. You don't remember?

A. No.

Q. Do you remember if you disclosed anything to those individuals from Quality Bus who interviewed you about your past drug use?

A. No.

Q. Is the question that you don't remember and you may have, or no, you did not disclose anything about your past drug use?

A. No, I didn't disclose anything.

Q. Did you disclose to any of those

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2 individuals who interviewed you from Quality Bus
3 that you suffered from seizures?

4 A. No.

5 Q. Did you disclose to either of those
6 individuals that you had sustained brain damage?

7 A. No. That's more or less what the
8 drug use.

9 Q. You didn't disclose the fact that
10 you had prior drug use in your life to your
11 potential employers at that time?

12 A. No. I didn't feel like it was
13 really any of their business at that time.

14 Q. When you applied for the bus driver
15 position for Quality Bus, were you addicted at
16 that time to any drugs or alcohol?

17 A. No.

18 Q. Were you taking any prescription
19 medications at the time that you applied for
20 work with Quality Bus?

21 A. Yes.

22 Q. What prescription medications were
23 you taking?

24 A. Suboxone, Clonidine and Valium.

25 Q. Did you disclose to your employer

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that you were taking those three drugs?

A. Yes.

Q. Did you disclose to Quality Bus why you were taking those three drugs?

A. You don't -- well, yes, I did.

Q. Do you recall what reason you gave Quality Bus for taking the Valium?

A. It's prescribed to me for anxiety.

Q. Did you tell Quality Bus that you're taking Valium because you suffer from anxiety?

MR. LaROSE: Do you understand the difference? You've already told him that you've disclosed those drugs. He wants to know if you told them why you were taking them, not that you told them I'm taking Valium.

A. I don't remember. Actually, I don't remember if I told them why.

Q. Now, the question is, at the time that you applied for that job in 2012, why were you taking Valium?

A. Why? I just told you.

MR. LaROSE: Anxiety.

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Q. For anxiety?

A. Yes.

Q. For any other reasons?

A. No.

Q. Were you taking that on a daily basis?

A. Yes.

Q. Who prescribed the Valium for you at that time?

A. Dr. Galli.

Q. And do you remember in what dose you were taking the Valium at that time?

A. At that time I was down to five milligrams, twice a day.

Q. And you told me that you listed three drugs. We talked about the Valium, the Clonidine. You were taking Clonidine; correct?

A. Um-hum, yes.

Q. Yes. And you disclosed that to Quality Bus when you applied?

A. Yes.

Q. And did you tell Quality Bus at that time why you were taking Clonidine?

A. No. I had to tell the nurse. She

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knows what it's for. It's high blood pressure medication.

Q. And what dosage were you taking the Clonidine?

A. One milligram, twice a day.

Q. Who prescribed that?

A. Dr. Galli.

Q. And when you say that you told the nurse about that, what nurse are you referring to, the nurse that was hired by Quality Bus, or is it some other nurse?

A. No. It's a nurse. You have to go to pass the test to be a bus driver. They're actually in Middletown, their office.

Q. The third drug that you mentioned that you were taking at the time you were hired by Quality Bus was Suboxone; correct?

A. Yes.

Q. And you disclosed the fact that you were taking Suboxone to Quality Bus?

A. Yes.

MR. CATALINOTTO: Objection to the form. You can answer.

MR. LaROSE: Via the nurse.

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MR. CATALINOTTO: Can you clarify whether it's the employer or medical provider?

Q. Did you disclose to Quality Bus -- I'll ask it in two forms -- number one, did you disclose to anyone from Quality Bus that you were taking Suboxone at the time that you were hired by Quality Bus?

A. Yep. Quality Bus or medical?

Q. Quality Bus.

MR. LaROSE: He wants to know, not that whether you told the medical and the medical tells Quality, he wants to know if you directly told somebody at Quality and said I take prescription medication Suboxone.

A. I don't remember.

Q. Do you remember if you told the nurse that you were taking prescription Suboxone?

A. Absolutely.

Q. And did you tell the nurse why you were taking prescription Suboxone?

A. She knows why. There is only one

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reason to take Suboxone.

MR. LaROSE: Okay. So, you didn't
tell her specifically?

THE WITNESS: No.

Q. So --

A. I don't think so, no.

Q. I don't want to -- I'm trying to
understand. I'm trying to understand what
you're saying and you're assuming that we all
know the reason why you take Suboxone, but I
need to know on the record, number one, did you
tell the nurse why you were taking Suboxone?

A. No.

Q. Okay. Is it your position and
understanding that you didn't need to tell the
nurse why you were taking Suboxone because the
nurse would automatically know why you're taking
Suboxone?

A. Yes.

Q. And tell me now why you would take
Suboxone.

A. It's for people coming off of
drugs, any kind of opiates.

Q. And what dosage were you taking the

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Suboxone at that time?

A. Eight milligrams in the morning,
and can't remember at that time whether I was on
two or four milligrams at night.

Q. Who prescribed the Suboxone?

A. Dr. Galli.

Q. What pharmacy did you use to obtain
the three drugs that we just identified?

MR. LaROSE: What time period are
we talking about? While she was at
Quality?

Q. Let's talk about just before you
were hired by Quality.

A. Aliton's and Medicine Shoppe.

Q. Where are they both located?

A. Port Jervis.

Q. How about when you were actually
working for Quality Bus for those four months
period of time or however long it was?

A. Same place.

Q. Were you ever made aware of any
rules or regulations by anyone against driving
under the influence of opiates or other drugs?

MR. LaROSE: Well, I'm going to

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have to ask you to break it down.

MR. CATALINOTTO: Objection to
form.

MR. LaROSE: I don't know what
"other drugs" mean. Opiates I under-
stand.

Q. Did anyone ever talk to you about
Suboxone affecting your ability to safely
operate a motor vehicle?

A. Yes. Any medication will affect
anybody, but I've been on it for years. It does
not affect me. It doesn't make me drowsy. It
doesn't do anything to me mentally, otherwise I
definitely would not have driven at all or in my
personal car.

MR. CATALINOTTO: Just for
clarification, when you say "anyone,"
you're talking about a medical provider?

MR. CIMINI: I'm talking about
medical provider, yes.

A. No.

Q. What about the nurse that you
reported these drugs to?

A. No.

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2 Q. Did she ever say anything to you
3 about whether or not you might not be fit to
4 drive a bus because of these three drugs that
5 you reported to her that you were on?

6 A. That's what I was thinking, but,
7 no, she didn't say anything.

8 Q. I know you filled out a job
9 application and we're going to go over that. I
10 want you to look at what we'll mark as Railo E.

11 (Whereupon, an employment
12 application was marked as Railo Exhibit E
13 for Identification as of this date.)

14 Q. Railo E is a three-page --

15 MR. LaROSE: Three page. Take a
16 quick look at this and then he is going
17 to ask you some questions.

18 THE WITNESS: Okay.

19 (Document submitted.)

20 Q. Is this the application that you
21 filled out for employment for Quality Bus?

22 A. Yes.

23 Q. Is this in your handwriting?

24 A. Yes.

25 MR. LaROSE: Is there anything

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other than your handwriting? Look at each page, that's what he wants to know, because somebody may have written in something, you know, over the stuff that you wrote.

THE WITNESS: No.

Q. Okay. And you filled this out on July 31st, 2012?

A. Yes.

Q. And did you have an opportunity to read everything that you wrote?

A. Yes.

Q. And is everything that you wrote truthful and correct as far as you know?

A. Yes.

Q. What happened with the application after you filled it out? Do you remember that?

A. I'm sorry?

Q. What happened after you filled out the application? What do you remember what you did with it? It's dated July 31st, 2012. What did you do with it after you filled this out?

A. What do you mean, what did I do with it?

1 CAITLIN H. RAILO

2 Q. Did you mail it back? Did you fill
3 it out at the --

4 A. No. I brought it back.

5 Q. Okay. When you brought it back, do
6 you remember speaking with anyone at that time?

7 A. I don't remember his name.

8 Q. After you filled out this
9 application, did you have to undergo any type of
10 special training that was provided by Quality
11 Bus before you were actually hired?

12 A. No.

13 Q. Do you remember if they hired you
14 right on the spot then?

15 A. Actually, I don't remember.

16 Q. Did you have to undergo any type of
17 drug testing before you were hired by Quality
18 Bus?

19 A. That was the same -- yes.

20 Q. Do you remember that?

21 A. Yes.

22 Q. You said "that was at the same."
23 Were you saying that was at the same time?

24 A. Yes. That was during the training
25 before because you had to train first before you

1 CAITLIN H. RAILO

2 could drive.

3 Q. Okay. Did you train before you
4 filled out this application or after you filled
5 out the application?

6 A. After.

7 Q. With respect to the drug testing,
8 do you remember what method of drug testing you
9 underwent?

10 A. Method, you mean, like blood or how
11 they got it?

12 Q. Exactly. Was it blood? Was it
13 urine?

14 A. Urinalysis.

15 Q. Urinalysis?

16 A. Yes.

17 Q. Do you remember where that took
18 place?

19 A. At their -- whoever they use for
20 medical in Middletown.

21 Q. And did you at any point in time
22 during that urinalysis attempt to dilute the
23 urine sample in any fashion?

24 A. No. You're not allowed to bring
25 anything in with you.

1 CAITLIN H. RAILO

2 Q. Did you attempt to utilize any type
3 of additive intended to give a plain result?

4 A. No.

5 Q. Did you ingest any type of agent
6 that would help mask any type of drugs you might
7 have been taking?

8 A. No. You don't know when you're
9 getting it.

10 Q. Did you pass the drug test that you
11 took?

12 A. Yes.

13 Q. And what drugs were you at the time
14 that you -- what drugs were you taking at the
15 time that you provided your urinalysis, if you
16 know?

17 A. The ones I was prescribed,
18 Clonidine, Valium and Suboxone.

19 Q. Were you required to be examined by
20 a physician before you were hired by Quality
21 Bus?

22 A. Yes.

23 Q. And do you know who that physician
24 was?

25 A. It's theirs. I don't know. I

1 CAITLIN H. RAILO

2 don't know who it is.

3 Q. Well, in other words, they didn't
4 tell you go to your own doctor and give us a
5 certificate of good health?

6 A. No.

7 Q. They sent you to their own person?

8 A. Yes.

9 MR. CIMINI: I'm going to show you
10 what we'll mark as Railo F.

11 (Whereupon, a medical examination
12 report was marked as Railo Exhibit F for
13 Identification as of this date.)

14 Q. Because they're not stapled, I
15 don't want to get them all mixed up. Railo F is
16 a medical examination report, that's a
17 three-page document, and you are listed as the
18 driver. Do you see at the very top it says
19 "Driver's Information" in black?

20 (Document submitted.)

21 A. Yes.

22 Q. And then next to it, it says
23 "Driver complete this section." Do you see that
24 right next to it?

25 A. Oh, yes.

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2 Q. Did you complete that first
3 section, Number 1?

4 A. Yes.

5 Q. Is that your handwriting?

6 A. Yes.

7 Q. Is everything that's contained in
8 that section correct?

9 A. Yes.

10 Q. Under the "Health History"
11 section, Number 2, did you check off all of
12 those boxes there?

13 MR. LaROSE: Or somebody
14 interviewed you and they check it off?
15 Do you remember?

16 THE WITNESS: I don't remember,
17 actually.

18 Q. Under it, says right next to the
19 "Health History" block, just like it does for
20 Number 1, it says, "Driver complete this
21 section, but medical examiner is encouraged to
22 discuss with driver."

23 A. Yeah, if this -- if I checked this
24 off, a lot of this would actually -- it would
25 change.